

MINUTES OF THE BOARD OF PUBLIC WORKS MEETING HELD AT GREENFIELD CITY HALL, COMMON COUNCIL CHAMBERS, ROOM 100, ON TUESDAY, JANUARY 26, 2016 AT 6:30 P.M.

1. Ald. Lubotsky called the meeting to order at 6:33 pm

Meeting called to order

Roll Call: Ald. Pam Akers Present
 Ald. Bruce Bailey Present
 Mr. Richard Kasza Present
 Ald. Linda Lubotsky Present
 Mr. Richard Mrochinski Present
 Atty Roger Pyzyk Present

Also Present: Mr. Jeff Katz, Interim Director of Neighborhood Services
 Mr. Dan Ewert, Superintendent of Public Works
 Ald. Shirley Saryan

2. Approval of the November 24, 2015 Meeting Minutes

Approval of the 11/24/15 Meeting Minutes

It was moved by Ald. Bailey, seconded by Mr. Kasza to approve the November 24, 2015 meeting minutes. Motion carried unanimously

At this time Item #6 was discussed

3. Public Hearing for the proposed improvement by the installation of storm sewer, storm sewer service laterals, sanitary sewer main, sanitary sewer service laterals, water main, water service laterals, concrete driveway approaches, concrete or asphalt driveway replacement, concrete service walks, concrete curb/gutter, concrete or bituminous concrete (asphalt) pavement, street lighting, and street trees on various streets and alleys, in the following locations:

Public Hearing for South 43rd Street Project 2014 #5

IN	FROM	TO
South 43rd Street	West Layton Avenue	West Grange Avenue
West Barnard Avenue	South 43rd Street	Dead end west of South 43rd Street

Project 2014 #5

Mr. Katz read the Statement of Benefit for the project. Ald. Lubotsky stated that tonight's meeting is to approve the special assessment portion and explained the process for public speaking.

The following spoke against the scope of the project:

- Helen Evica of 5060 S 43rd Street
- Kathy Graham of 5411 S 43rd Street
- Leslie Cunningham of 4782 S 43rd Street
- Sharon Radke of 4246 W Barnard Avenue
- Terri Printz of 5277 S 43rd Street
- Wayne Printz of 5277 S 43rd Street
- Patty Nelson of 4850 S 43rd Street
- Michael Ortloff of 4910 S 43rd Street
- Joanne Halverson of 5360 S 43rd Street
- Jennifer Crowbridge of 4970 S 43rd Street

The following spoke in support of the project:

- Greg Lang of 4784 S 43rd Street

Marc Wisniewski of 4880 S 43rd Street asked about the four houses between West Barnard Avenue and West Carpenter Avenue that take a lot of water that comes off the woods behind these houses. Currently the water is handled pretty well between swales that empty out into the ditch and swept to the sump. Mr. Katz recommended that Mr. Wisniewski stop into Engineering during office hours to see the plans for the roadway. Drainage on the road and behind the curb are both looked at and if the homes are lower or water collects we will install yard drains behind the curb.

It was moved by Ald. Akers, seconded by Ald. Lubotsky to close the Public Hearing. Motion carried unanimously

Atty Pyzyk responded to the sidewalk concerns stating that approximately 10-15 years ago the Common Council adopted an Ordinance that on all quarter-section streets sidewalks were going to be installed upon reconstruction. The Ordinance was also adjusted to state that property owners would not be assessed for the sidewalks.

The liability for sidewalks for the State of Wisconsin states that it is the municipalities responsibility for the clearing of snow and the maintenance of sidewalk in front of your homes. The law also states that the municipalities can delegate the duty of clearing the snow to the abutting property owners which most municipalities do and give you 24-48 hours after a snow storm to remove the snow from the sidewalk. If you do not remove the snow, the city will remove it and you will get an invoice for that removal or you might get a municipal citation for failing to follow the Ordinance which requires the removal of snow.

The liability of somebody falling on your sidewalk is the city's liability with an exception which is if you create an unsafe condition that creates the liability on the sidewalk for that you could be held liable. But absent for the homeowner creating an unsafe condition, you don't bear any liability.

The width of the road has no bearing on your assessment. The city on an annual basis sets an annual cost for reconstruction of streets and it is based on a contracting rate of what the cost is for that year to do road improvement projects. Once the total cost factor is known, the Common Council passes an Ordinance as to what the homeowner will pay. Home owners are being assessed at \$30 a front foot on their properties. It make no difference if the road is 24' or 38', you are still paying \$30 a front foot for the cost of that road going in.

The state gives authority to the city which they call Police Powers (not police department enforcement) which is the authority of the city to set their own assessment rates and to assess for projects like this. It is a legal term, an authorization granted by the State of Wisconsin to municipalities to assess for road improvement projects.

Mr. Katz stated that the road cross-section that is on the construction plan has not changed. It was shown at both public involvement meetings (PIM). Aside from the PIM's, staff has met with some residents in the Engineering office as well as with residents at their homes to discuss issues. Mr. Ewert added that staff has listened to the public and minimized the width of the road and removed the traffic calming islands that had been a part of the project.

The lighting going in on the street is similar to other projects completed by the city. It is not excessive lighting, a minimal lighting for safety and security. Modern LED fixtures with the intention to light the road and not the surrounding area. Similar lighting is on South 51st Street just north of West Layton Avenue.

The width of the road will be 38'. The terrace area, between the curb and the sidewalk edge will be approximately 9'. This area will be where lights are installed as well as the new trees planted. Current trees that are being removed are in the highway right-of-way. Staff has tried to minimize the number of trees that are removed.

4. **Discussion and decision to adopt a final resolution, to levy special assessments, for the reconstruction of South 43rd Street from West Layton Avenue to West Grange Avenue, and West Barnard Avenue from South 43rd Street to dead end west of South 43rd Street. (Engineering)**

**Adopt Final
Resolution to Levy
Special Assessments
on South 43rd Street
Reconstruction
COMMON COUNCIL**

It was moved by Ald. Akers, seconded by Ald. Bailey to adopt a final resolution, to levy special assessments, for the reconstruction of South 43rd Street from West Layton Avenue to West Grange Avenue, and West Barnard Avenue from South 43rd Street to dead end west of South 43rd Street. Motion carried unanimously

5. **Citizen Commentary**

Citizen Commentary

At this time Item #7 was discussed

6. **Discussion and decision regarding the vacation of public right-of-way and a road reservation de-mapping of Chapman Avenue as it relates to the Layton Avenue Baptist Church new building project at 9600 West Layton Avenue, Tax Key #607-9970-002/003 & 607-9968 (Community Development)**

**Vacate Public Right-
of-Way and Road
Reservation Related
to Layton Avenue
Baptist Church
COMMON COUNCIL**

Mr. Katz noted that the Layton Avenue Baptist Church has now received both Rezoning and a Site/Building/Landscape review approval to construct a new church on five acres at 9600 West Layton Avenue. Three parcels are to be combined which will require both a vacate of right-of-way and a de-mapping of a road reservation.

The December 8, 2015 meeting of the Plan Commission has favorably recommended this request and has forwarded to the Board of Public Works for consideration.

It was moved by Ald. Akers, seconded by Ald. Lubotsky to vacate the public right-of-way and road reservation and de-mapping of Chapman Avenue as it relates to the Layton Avenue Baptist Church new building project at 9600 West Layton Avenue, Tax Key #607-9970-002/003 & 607-9968. Motion carried unanimously

At this time Item #3 was discussed

7. **Discussion and decision regarding repealing and recreating Chapter 30, Post-Construction Storm Water Management of the Greenfield Municipal Code. (Engineering)**

**Repeal and Recreate
Chapter 30 of the
Municipal Code
LEGISLATIVE**

Mr. Katz stated that the city is subject to a Menomonee River Watershed MS4 permit by the DNR and are required to update our post construction storm water management Ordinances by March 31, 2016. Our recommendation is approval

to repeal and recreate Chapter 30 Post-Construction Storm Water Management of the Greenfield Municipal Code.

It was moved by Ald. Akers, seconded by Ald. Lubotsky to approve the repealing and recreating of Chapter 30, Post-Construction Storm Water Management of the Greenfield Municipal Code. Motion carried unanimously

- 8. Discussion and decision regarding repealing Chapter 31, Construction Site Erosion and recreating Chapter 31, Construction Site Erosion and Sediment Control, of the Greenfield Municipal Co. (Engineering)**

**Repeal and Recreate Chapter 31 of the Municipal Code
LEGISLATIVE**

Mr. Katz noted that this is the same process as the last item but Chapter 31 which we are required to revise. Staff recommends to repeal Chapter 31, Construction Site Erosion and recreate Chapter 31, Construction Site Erosion and Sediment Control of the Greenfield Municipal Code.

It was moved by Ald. Akers, seconded by Ald. Lubotsky to approve repealing Chapter 31, Construction Site Erosion and recreating Chapter 31, Construction Site Erosion and Sediment Control, of the Greenfield Municipal Co.. Motion carried unanimously

- 9. Discussion and decision to formerly adopt a Resolution to reject the West 15' of a 30' road reservation lying on the East 30' of Lots 1 through 5, Block 4, of Chapman Subdivision. (Engineering)**

**Adopt Resolution to Reject Road Reservation of Chapman Subdivision
COMMON COUNCIL**

Mr. Katz stated that this item refers to the Cobalt development, 84 South. There is currently a 30' road reservation giving the ability to widen South 84th Street by 30'. South 84th Street is already at its maximum intended width so we are asking to adopt a resolution to reject the west 15' of that road reservation to allow for development.

It was moved by Ald. Lubotsky, seconded by Ald. Akers to recommend approval to formerly adopt a Resolution to reject the West 15' of a 30' road reservation lying on the East 30' of Lots 1 through 5, Block 4, of Chapman Subdivision. Motion carried unanimously

- 10. Director of Neighborhood Services Report**

Director of Neighborhood Services Report

Mr. Katz stated that the Department of Neighborhood Services has been extremely busy. Many new developments are interested in coming to Greenfield keeping Planning and Development as well as Inspection very busy. We are also addressing other Neighborhood Services issues like ID Key Tags for residents at the Drop-of-Center.

Ald. Lubotsky welcomed Mr. Katz as the interim Director of Neighborhood Services.

- 11. Superintendent of Public Works Report**

Superintendent of Public Works Report

Mr. Ewert handed out a written report. The DPW crews have been doing a great job at Konkel Park building the new amphitheater. The foundation is set for the structure which will be arriving soon.

Tree pruning continues and tree removal will start in the next two weeks. The leaf grinding process was completed yesterday and we turned over our older supply of leaf mulch so that it becomes even more rich.

12. City Engineer Report

City Engineer Report

No Report

13. Other topics for future agendas

**Other Topics for
Future Agendas**

Parking provision for the Shirley Crest subdivision – March Agenda

14. Adjournment

Meeting Adjournment

It was moved by Ald. Lubotsky, seconded by Ald. Akers to adjourn the Board of Public Works meeting at 8:45 PM. Motion carried unanimously.

Respectfully submitted,
Laura Young
Administrative Assistant
Department of Neighborhood Services

Date distributed: February 4, 2016